



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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DA 10-2417
Released: December 23, 2010

**COMMENTS INVITED ON APPLICATION OF AT&T INC. ON BEHALF OF
BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T SOUTHEAST TO
DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

WC Docket No. 10-262
Comp. Pol. File No. 968

Comments Due: January 7, 2011

Section 214 Application

Applicant: AT&T Inc. on behalf of BellSouth Telecommunications, Inc. d/b/a AT&T Southeast

On **December 14, 2010**, **AT&T Inc.** (AT&T or Applicant) filed an application with the Federal Communications Commission (FCC or Commission) on behalf of its incumbent local exchange carrier affiliate, **BellSouth Telecommunications, Inc. d/b/a AT&T Southeast** (AT&T Southeast), located at **3535 Colonnade Pkwy – North, W1F1, Birmingham, Alabama 35243**, requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue a certain domestic telecommunications service throughout its nine state territory which includes Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee (collectively Service Areas). On December 21, 2010, AT&T filed an amendment to its application in order to update the record regarding notice to customers.¹ Accordingly, AT&T's application is deemed complete as of December 21, 2010.

AT&T indicates that AT&T Southeast currently offers Dedicated Metro Ethernet service in the Service Areas. AT&T explains that Dedicated Metro Ethernet service provides physical and logical point-to-point Ethernet connectivity over dedicated facilities between two customer locations. AT&T asserts, however, that AT&T Southeast cannot continue to offer this service because it provisions the service utilizing equipment that was discontinued in 2009 and there is a limited availability of spare equipment. AT&T indicates that AT&T Southeast therefore plans to discontinue offering its Dedicated Metro Ethernet service to new customers in the Service Areas on or after January 31, 2011, subject to regulatory approval. AT&T states that AT&T Southeast also plans to discontinue Dedicated Metro Ethernet service to existing customers on or after June 30, 2011 based on contract requirements and subject to Commission approval of this application. AT&T maintains that the public convenience and necessity will not be adversely affected by the proposed discontinuance because AT&T Southeast offers other Ethernet connectivity services in the Service Areas. AT&T indicates that it notified affected customers of the proposed discontinuance by letters sent via U.S. mail on December 13, 2010. AT&T states that it is considered non-dominant with respect to the services to be discontinued.

¹ AT&T's application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on December 15, 2010, and AT&T's amendment was subsequently received on December 23, 2010.

In accordance with section 63.71(c) of the Commission's rules, AT&T's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies AT&T that the grant will not be automatically effective. In the application and notice to customers, AT&T indicates that AT&T Southeast plans to discontinue offering Dedicated Metro Ethernet service to new customers on or after January 31, 2011, subject to regulatory approval. AT&T further indicates that AT&T Southeast plans to discontinue Dedicated Metro Ethernet service to existing customers on or after June 30, 2011 based on contract requirements and subject to Commission approval of this application. Accordingly, pursuant to section 63.71(c) and the terms of AT&T's application and notice, absent further Commission action, AT&T Southeast may cease to offer Dedicated Metro Ethernet service to new customers in the Service Areas on or after **January 31, 2011**, and may terminate service to existing customers in the Service Areas on or after June 30, 2011 in accordance with its filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **January 7, 2011**. Such comments should refer to **WC Docket No. 10-262 and Comp. Pol. File No. 968**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. **Effective December 28, 2009, the Commission's contractor will only receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at the FCC Headquarters building, located at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554.** The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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